

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

CENTRIPETAL NETWORKS, LLC.

Plaintiff,

v.

Civil Action No. 2:21-CV-00137 (EWH)

PALO ALTO NETWORKS, INC.,

Defendant.

ORDER

Pending before the Court is Centripetal Networks, LLC’s (“Centripetal” or “Plaintiff”) Motion to Lift Stay and Reopen the Case (“Motion”). ECF No. 325. Centripetal requests that the Court lift the stay with respect to the seven asserted patents that the Patent Trial and Appeal Board (“PTAB”) either declined to review or found valid upon review.¹ As part of its requests, Centripetal represented that it will dismiss without prejudice the six asserted patents that were found invalid by the PTAB.² Pl.’s Mem. in Supp. at 2, ECF No. 326. Palo Alto Networks (“PAN” or “Defendant”) opposes the Motion. ECF No. 329. On May 11, 2023, the Court held a hearing on Plaintiff’s Motion.

¹ The seven patents that the PTAB declined to review or found valid upon review include U.S. Patent No. 10,567,343 (the “‘343 Patent”), U.S. Patent No. 10,567,437 (the “‘437 Patent”), U.S. Patent No. 10,785,266 (the “‘266 Patent”), U.S. Patent No. 10,735,380 (the “‘380 Patent”), U.S. Patent No. 10,659,573 (the “‘573 Patent”), U.S. Patent No. 10,530,903 B2 (the “‘903 Patent”), and U.S. Patent No. 10,931,797 (the “‘797 Patent”).

² The six patents that the PTAB found invalid include U.S. Patent No. 10,542,028 (the “‘028 Patent”), U.S. Patent No. 10,757,126 (“the ‘126 Patent”), U.S. Patent No. 10,567,413 (the “‘413 Patent”), U.S. Patent No. 10,091,246 (the “‘246 Patent”), U.S. Patent No. 10,749,906 (the “‘906 Patent”), and U.S. Patent No. 10,503,899 (the “‘899 Patent”).

For the reasons stated on the record at the hearing, the Court finds that the totality of the circumstances favor lifting the stay. Accordingly, Plaintiff's Motion is GRANTED. The stay in this case is LIFTED.

An eight (8) day Jury Trial is scheduled to commence at 9:30 a.m. on December 4, 2023, at Norfolk. The parties are ORDERED to meet and confer and submit a joint proposed scheduling order to the Court no later than **May 25, 2023**.

The parties are further ORDERED to meet and confer regarding whether the six patents found invalid by the PTAB should be dismissed with or without prejudice. If the parties come to an agreement, a stipulation of dismissal shall be filed no later than **May 18, 2023**. Should the parties disagree, Plaintiff shall submit its briefing on the issue no later than **May 25, 2023**. Defendant's response is due no later than **June 8, 2023**, and Plaintiff's reply is due no later than **June 15, 2023**.

It is SO ORDERED.



/S/

Elizabeth W. Hanes
United States District Judge

Norfolk, Virginia
Date: May 17, 2023